

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ELIZABETH ANN LITTLEJOHN,

Plaintiff,

v.

KAISER PERMANENTE OF  
WASHINGTON,

Defendant.

Case No. 3:23-cv-06194-TMC

ORDER TO SHOW CAUSE


This matter comes before the Court on review of the record in this case. On January 5, 2024, the Court issued an Order Regarding Initial Disclosures, Joint Status Report, Discovery, Depositions, and Early Settlement (“Scheduling Order”) (Dkt. 7). The Order required the parties to submit a combined joint status report and discovery plan (“JSR”) pursuant to Federal Rule of Civil Procedure 26(f) and Local Civil Rule 26(f) by April 4, 2024. *See* Dkt. 7 at 1. The Order explained that Plaintiff is responsible for starting the communications needed to comply with the Order. *Id.* at 6. The April 4, 2024 deadline has passed and the parties have not filed a JSR, despite the Court also entering a notice to the parties on April 9, 2024, ordering them to file the JSR or face dismissal. *See* Dkt. 13.

Federal Rule of Civil Procedure 16(f)(1) provides that the Court, on a motion or on its

1 own, may issue “any just orders including those authorized by Fed. R. Civ. P. 37(b)(2)(A)(ii)–  
2 (vii)” if a party “fails to obey a scheduling or other pretrial order.” Under Federal Rule of Civil  
3 Procedure 37(b)(2)(A)(v), the Court may dismiss an action or proceeding in whole or in part for  
4 failure to obey a court order. It is Plaintiff’s responsibility to initiate communications for  
5 compliance with the Court’s orders requiring a JSR and they have not done so. Accordingly,  
6 Plaintiff must show cause, if any, as to why this case should not be dismissed without prejudice  
7 under Federal Rules of Civil Procedure 16(f)(1) and 37(b)(2)(A)(v).

8 Therefore, it is ORDERED that no later than May 3, 2024, Plaintiff shall show cause in  
9 writing as to why this case should not be dismissed without prejudice for failure to comply with  
10 the Court’s Scheduling Order (Dkt. 7). *See* Fed. R. Civ. P. 16; LCR 16(a).

11 Dated this 26th day of April, 2024.

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14 Tiffany M. Cartwright  
15 United States District Judge  
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